

Filed in the DISTRICT COURT
Kay County, Oklahoma
PONCA CITY DIV.

IN THE DISTRICT COURT OF KAY COUNTY
STATE OF OKLAHOMA

FEB 20 2013

MARILEE THORNTON, Court Clerk
BY [Signature] DEPUTY

ARLENE PARKS,

Plaintiff,

v.

PHILADELPHIA INDEMNITY INSURANCE
COMPANY,

Defendant.

Case No. CJ-2013- 24 PC

THIS CASE ASSIGNED TO
D. W. BOYD

PETITION

COME NOW the Plaintiff, Arlene Parks, and for her cause of action against the Defendant, Philadelphia Indemnity Insurance Company, alleges and states as follows:

1. That on or about April 19, 2008, Plaintiff, Arlene Parks, was involved in an automobile accident with an underinsured driver.
2. That Plaintiff suffered physical injuries as a result of the accident.
3. That at the time of this accident, Plaintiff was insured under a policy of underinsured motorist coverage with Defendant, Philadelphia Indemnity Insurance Company.
4. That Plaintiff made a claim with Defendant Company, pursuant to the contract for underinsured motorist coverage.
5. That Plaintiff claimed under the underinsured motorist coverage that she was entitled to insurance benefits for damages she suffered as a direct result of the April 19, 2008 car accident including, but not limited to, pain and suffering, physical impairment, permanent injuries, incurred medical expenses for past and future treatment, and lost income and loss of future earnings.



6. That Defendant Company has failed to reimburse Plaintiff pursuant to the insurance policy for all benefits Plaintiff is entitled to receive.

7. That Defendant Company's failure to pay all benefits rightfully owed Plaintiff under the insurance policy is a breach of the Company's contractual obligations to pay such benefits.

8. Defendant's conduct as alleged herein constituted a breach of its duty of good faith and fair dealing with Plaintiff in that it has failed to fairly evaluate Plaintiff's claims.

Wherefore, premises considered, Plaintiff seeks judgment against the Defendant in an amount in excess of \$75,000.00, plus court costs, attorney fees, prejudgment interest, postjudgment interest, and what other further relief this Court deems equitable and just.

Respectfully submitted,

MARTIN JEAN & JACKSON

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